

Notice of Allowability

Application No.

10/600,527

Examiner

Thomas A. Morrison

Applicant(s)

WATANABE ET AL.

Art Unit

3653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/06/2005.
2. ☒ The allowed claim(s) is/are 1-3, 5-12, 14 and 16-19.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Kanesaka (Registration No. 31,467) on December 30, 2005.

IN THE DRAWINGS:

The following changes to the drawings have been approved by the examiner and agreed upon by applicant: Namely, reference numerals "55c" and "55b" in Fig. 2 of the instant application have been changed to -- 50c -- and -- 50b --, respectively. A marked-up Fig. 2 showing such changes is included with this Office Action. In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

IN THE CLAIMS:

In claim 1, lines 15-16 after "frame", "for forming a space with" has been deleted.

In claim 1, line 16 before "a predetermined", -- on the automatic document feeder by -- has been inserted.

In claim 1, line 17 before "; and", "with respect to the guide means" has been deleted.

In claim 2, line 4 after "means", "forming the" has been deleted.

In claim 2, line 4 before "space", -- contacting the platen to form a -- has been inserted.

In claim 8, line 3 after "roller", "to be movable freely" has been deleted.

In claim 12, line 14 after "directly", "contact" has been replaced with -- contacts --.

In claim 14, line 18 after "toward", "the" has been replaced with -- a --.

In claim 14, line 19 before "the guide", -- a guide surface of -- has been inserted.

Allowable Subject Matter

2. The following is an examiner's statement of reasons for allowance:

With regard to independent claims 1 and 12, U.S. Patent No. 5,816,569 (Hoshi et al.) and U.S. Patent No. 5,887,866 (Yamauchi et al.) are the closest prior art references of record. However, both of these references fail to disclose or suggest the **platen roller** arranged to press the guide means to transport the original between the guide means and the platen roller and **positioned upstream** relative to the reading position to thereby prevent scratching of the guide means at the reading position when **the platen**

roller directly contacts the guide means, as now set forth in independent claims 1 and 12, and their dependent claims.

With regard to independent claim 14, Japanese Publication No. 2000-327168 is the closest art of record. However, this prior art reference fails to disclose or suggest the combination of the guide means and pressing means, as claimed. More specifically, this Japanese publication fails to disclose or suggest guide means arranged between a platen and a backup guide means; and pressing means for pressing the guide means against the backup guide means so that an original moves the guide means toward a side opposite to a guide surface of the guide means when the original enters between the backup guide means and the guide means, as now amended by the examiner's amendment.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Morrison whose telephone number is (571) 272-7221. The examiner can normally be reached on M-F, 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Walsh can be reached on (571) 272-6944. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

